

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY CAD D.C.

2005 JUN 17 PM 3:03

ROBERT R. DI TROLIO
CLERK, U.S. DIST. CT.
W.D. OF TN. MEMPHIS

IVER SCHMIDT and SHARON A. SCHMIDT

Plaintiffs

v.

JEANETTE MARTIN, d/b/a Martin Construction,
ROY WAYNE MARTIN, JR., a/k/a Wayne Martin,
d/b/a/ Martin Construction, MONETTE McCall FINLEY,
WHISPERING SPUR LOG HOMES,
PAIGE MONETTE WRIGHT, DAVID EUDY,
WINSTON CULLUM, BARBARA McCALL,
McCALL TRUST, BARRY CRUTCHFIELD,
MICKI FARRINGTON and JOHN DOE I, II, III and IV

Defendants.

No.: 04-2630 DV
JURY DEMANDED

ROBERT R. DI TROLIO
CLERK, U.S. DIST. CT.
W.D. OF TN. MEMPHIS

05 JUN 20 PM 1:28

FILED BY [Signature] D.C.

MOTION FOR LEAVE TO WITHDRAW AS COUNSEL FOR DEFENDANTS,
JEANETTE MARTIN AND WAYNE MARTIN

COMES NOW Larry E. Parrish, P.C., counsel of record for defendant, Jeanette Martin and Wayne Martin (hereinafter "**the Martins**"), and respectfully moves the court to enter an order granting Larry E. Parrish, P.C. leave to withdraw as counsel of record for the Martins.

FOR CAUSE, by the fact that the Martins have failed to make payment of fees and to reimburse for out-of-pocket expenses advanced, after due notice that the instant motion would be filed unless payment was made, Larry E. Parrish, P.C. has no other conclusion to reach except that the Martins no longer desire to have the services of Larry E. Parrish, P.C. as counsel of record in the instant case.

MOTION GRANTED

DATE June 20, 2005

BERNICE BOUIE DONALD
U.S. DISTRICT JUDGE

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FOR FURTHER CAUSE, Larry E. Parrish, P.C. has advised the Martins of the consequences of the Martins not being represented by counsel in the instant case and strongly advised that the Martins retain substitute counsel to replace Larry E. Parrish, P.C. as counsel of record should the Martins choose not to pay Larry E. Parrish, P.C. for services rendered directly in connection with the instant case since October 2004.

FOR FURTHER CAUSE, the failure of the Martins to pay amounts due and owing Larry E. Parrish, P.C. will create the potential for an adversarial relationship between Larry E. Parrish, P.C. and the Martins making continued representation by Larry E. Parrish, P.C. of the Martins as counsel of record in the instant case ethically impossible.

Respectfully submitted:

LARRY E. PARRISH, P.C.


By: 
Larry E. Parrish, BPR #8464
The Crescent Center
6075 Poplar Avenue, Suite 420
Memphis, Tennessee 38119
(901) 767-8000

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing **MOTION FOR LEAVE TO WITHDRAW AS COUNSEL FOR DEFENDANTS** was forwarded to Jeanette Martin and Wayne Martin via certified mail return receipt requested, and the following counsels of record on this the 1st day of June 2005 by first class U.S. Mail, postage prepaid:

Michael L. Weinman, Esq.
WEINMAN & ASSOCIATES
114 South Liberty Street
P.O. Box 266
Jackson, Tennessee 38302-0266


C. Barry Crutchfield, Pro Se
TEMPLETON AND CRUTCHFIELD
113 E. Washington
Lovington, New Mexico 88260



Larry E. Parrish

CERTIFICATE OF CONSULTATION

Pursuant to L.R. 7.2(a)(1)(B), the undersigned has consulted with counsel for Plaintiffs and Defendant, C. Barry Crutchfield, acting pro se, who consent to the entry of an order granting the Motion for Leave to Withdraw as Counsel for Defendants, Jeanette Martin and Wayne Martin.



Larry E. Parrish



Notice of Distribution

This notice confirms a copy of the document docketed as number 18 in case 2:04-CV-02630 was distributed by fax, mail, or direct printing on June 20, 2005 to the parties listed.

Larry E. Parrish
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Honorable Bernice Donald
US DISTRICT COURT